

(ii) NOTICE.—

(I) IN GENERAL.—Before filing an action under clause (i), the attorney general of the State involved shall provide to the Commission—

- (aa) written notice of that action; and
- (bb) a copy of the complaint for that action.

(II) EXEMPTION.—

(aa) IN GENERAL.—Subclause (I) shall not apply with respect to the filing of an action by an attorney general of a State under this subparagraph if the attorney general of the State determines that it is not feasible to provide the notice described in that subclause before the filing of the action.

(bb) NOTIFICATION.—In an action described in item (aa), the attorney general of a State shall provide notice and a copy of the complaint to the Commission at the same time as the attorney general files the action.

(B) INTERVENTION.—

(i) IN GENERAL.—On receiving notice under subparagraph (A)(ii), the Commission shall have the right to intervene in the action that is the subject of the notice.

(ii) EFFECT OF INTERVENTION.—If the Commission intervenes in an action under subparagraph (A), it shall have the right—

- (I) to be heard with respect to any matter that arises in that action; and
- (II) to file a petition for appeal.

(C) CONSTRUCTION.—For purposes of bringing any civil action under subparagraph (A), nothing in this section shall be construed to prevent an attorney general of a State from exercising the powers conferred on the attorney general by the laws of that State to—

- (i) conduct investigations;
- (ii) administer oaths or affirmations; or
- (iii) compel the attendance of witnesses or the production of documentary and other evidence.

(D) ACTIONS BY THE COMMISSION.—In any case in which an action is instituted by or on behalf of the Commission for violation of subsection (b) or (c), no State may, during the pendency of that action, institute an action under subparagraph (A) against any defendant named in the complaint in the action instituted by or on behalf of the Commission for that violation.

(E) VENUE; SERVICE OF PROCESS.—

(i) VENUE.—Any action brought under subparagraph (A) may be brought in—

(I) the district court of the United States that meets applicable requirements relating to venue under section 1391 of title 28, United States Code; or

(II) a State court of competent jurisdiction.

(ii) SERVICE OF PROCESS.—In an action brought under subparagraph (A) in a district court of the United States, process may be served wherever defendant—

- (I) is an inhabitant; or

(II) may be found.

(4) PRIVATE RIGHT OF ACTION.—

(A) IN GENERAL.—Any individual who suffers injury as a result of an act, practice, or omission of a covered technology company that violates subsection (b) may bring a civil action against such company in any court of competent jurisdiction.

(B) RELIEF.—In a civil action brought under subparagraph (A) in which the plaintiff prevails, the court may award such plaintiff up to \$1,000 for each day that such plaintiff was affected by a violation of subsection (b) (up to a maximum of \$15,000 per each such violation per plaintiff).

(e) REQUIREMENT FOR APPROVAL OF COMMITTEE ON FOREIGN INVESTMENT IN THE UNITED STATES OF CERTAIN TRANSACTIONS.—Section 721(b) of the Defense Production Act of 1950 (50 U.S.C. 4565(b)) is amended by adding at the end the following:

“(9) APPROVAL REQUIRED FOR CERTAIN TRANSACTIONS.—

“(A) IN GENERAL.—A covered transaction described in subparagraph (C) is prohibited unless the Committee—

“(i) reviews the transaction under this subsection; and

“(ii) determines that the transaction does not pose a risk to the national security of the United States.

“(B) MITIGATION.—The Committee, or a lead agency on behalf of the Committee, may negotiate, enter into or impose, and enforce an agreement or condition under subsection (1)(3) with any party to a covered transaction described in subparagraph (C) to mitigate any risk to the national security of the United States that arises as a result of the covered transaction.

“(C) COVERED TRANSACTION DESCRIBED.—A covered transaction described in this subparagraph is a transaction that could result in foreign control of a United States company—

“(i) that collects, sells, buys, or processes user data and whose business consists substantially more of transferring data than manufacturing, delivering, repairing, or servicing physical goods or providing physical services; or

“(ii) that operates a social media platform or website.

“(D) USER DATA DEFINED.—For purposes of subparagraph (C), the term ‘user data’ means any information obtained by an entity that provides a data-based service such as a website or internet application that identifies, relates to, describes, is capable of being associated with, or could reasonably be linked with an individual who is a citizen or resident of the United States without regard to whether such information is directly submitted by the individual to the entity, is derived by the entity from the observed activity of the individual, or is obtained by the entity by any other means.”.

SA 1951. Mr. HAWLEY submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

In title III of division C, insert after section 3302 the following:

SEC. 3303. MEASURES TO PREVENT IMPORTATION OF GOODS MADE WITH FORCED LABOR.

(a) DUTIES ON IMPORTS FROM XINJIANG.—

(1) IN GENERAL.—During the period specified in paragraph (2), there shall be imposed a duty of 100 percent ad valorem, in addition to all duties otherwise applicable, on all goods, wares, articles, or merchandise—

(A) mined, produced, or manufactured wholly or in part in the Xinjiang Uyghur Autonomous Region of the People's Republic of China; or

(B) manufactured or assembled from any component part or material that is mined, produced, or manufactured in the Xinjiang Uyghur Autonomous Region.

(2) PERIOD SPECIFIED.—The period specified in this paragraph is the period—

(A) beginning on the date that is 90 days after the date of the enactment of this Act; and

(B) ending on the date, which may not be before the date that is one year after such date of enactment, on which the Secretary of State, in consultation with the Secretary of Labor, the Commissioner of U.S. Customs and Border Protection, and the United States Trade Representative—

(i) determines beyond a reasonable doubt that no slave labor, forced labor, indentured labor, or child labor exists in the People's Republic of China; and

(ii) submits to Congress and makes available to the public a report on that determination.

(3) REGULATIONS.—The Commissioner of U.S. Customs and Border Protection may prescribe regulations necessary for the enforcement of paragraph (1).

(b) INELIGIBILITY OF COUNTRIES THAT USE FORCED LABOR FOR GENERALIZED SYSTEM OF PREFERENCES.—

(1) IN GENERAL.—Section 502(b)(2) of the Trade Act of 1974 (19 U.S.C. 2462(b)(2)) is amended—

(A) by inserting after subparagraph (H) the following:

“(I) Such country is identified by the Bureau of International Labor Affairs of the Department of Labor pursuant to section 105(b)(2)(C) of the Trafficking Victims Protection Reauthorization Act of 2005 (22 U.S.C. 7112(b)(2)(C)) as a source country of goods that are believed to be produced by forced labor or child labor in violation of international standards.”; and

(B) in the flush text at the end, by striking “(F),” and all that follows through “section 507(6)(D))” and inserting “and (F)”.

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) apply with respect to articles entered on or after the date that is 30 days after the date of the enactment of this Act.

SA 1952. Mr. HAWLEY submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

In division B, insert after section 2510 the following:

SEC. 2511. MARKING OF ARTICLES THAT ORIGINATE IN COUNTRIES BELIEVED TO PRODUCE GOODS MADE BY FORCED LABOR OR CHILD LABOR.

(a) IN GENERAL.—It shall be unlawful for an article that is required to be marked under section 304 of the Tariff Act of 1930 (19 U.S.C. 1304) and originates in a source country to be introduced, sold, advertised, or offered for sale in commerce in the United States unless that article is legibly, indelibly, and permanently marked, in addition to being marked with the English name of the country of origin of the article as required by such section 304, as follows: “The United States Department of Labor has reason to believe that goods from this country are produced by child labor or forced labor in violation of international standards.”.

(b) ADDITIONAL DUTIES; DELIVERY WITHHELD; PENALTIES.—The provisions of subsections (i), (j), and (l) of section 304 of the Tariff Act of 1930 (19 U.S.C. 1304) apply with respect to an article that is not marked as required by subsection (a) to the same extent

and in the same manner as such provisions apply to an article that is not marked as required by such section 304.

(c) **REGULATIONS.**—The Commissioner of U.S. Customs and Border Protection shall prescribe regulations that—

(1) ensure the requirement under subsection (a) is appropriately applied to articles introduced, sold, advertised, or offered for sale in commerce on an internet website such that the internet description of the article indicates in a conspicuous place the marking required by subsection (a); and

(2) provide for enforcement of the requirement under subsection (a).

(d) **SOURCE COUNTRY DEFINED.**—In this section, the term “source country” means a country identified by the Bureau of International Labor Affairs of the Department of Labor pursuant to section 105(b)(2)(C) of the Trafficking Victims Protection Reauthorization Act of 2005 (22 U.S.C. 7112(b)(2)(C)) as a source country of goods that are believed to be produced by forced labor or child labor in violation of international standards.

SA 1953. Mr. HAWLEY submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 3217 of division C and insert the following:

SEC. 3217. DECLASSIFICATION OF INFORMATION RELATED TO THE ORIGIN OF COVID-19.

(a) **FINDINGS.**—Congress makes the following findings:

(1) The Department of State released a fact sheet on January 15, 2021, about the Wuhan Institute of Virology (WIV) which stated the following:

(A) “The U.S. government has reason to believe that several researchers inside the WIV became sick in autumn 2019, before the first identified case of the outbreak, with symptoms consistent with both COVID-19 and common seasonal illnesses.”

(B) “WIV researchers conducted experiments involving RaTG13, the bat coronavirus identified by the WIV in January 2020 as its closest sample to SARS-CoV-2.”

(C) “Despite the WIV presenting itself as a civilian institution, the United States has determined that the WIV has collaborated on publications and secret projects with China’s military.”

(2) Former Director of the Centers for Disease Control and Prevention, Robert Redfield, stated in March 2021 that, “the most likely etiology of this pathogen in Wuhan was from a laboratory” and noted that, “[i]t is not unusual for respiratory pathogens that are being worked on in a laboratory to infect the laboratory worker.”

(3) Director-General of the World Health Organization Tedros Adhanom Ghebreyesus acknowledged in March 2021 that the Coronavirus Disease 2019 (COVID-19) may have originated in a laboratory and said this hypothesis “requires further investigation, potentially with additional missions involving specialist experts.”

(b) **SENSE OF CONGRESS.**—It is the sense of Congress that—

(1) identifying the origin of Coronavirus Disease 2019 (COVID-19) is critical for pre-

venting a similar pandemic from occurring in the future;

(2) there is reason to believe the COVID-19 pandemic may have originated at the Wuhan Institute of Virology; and

(3) the Director of National Intelligence should declassify and make available to the public as much information as possible about the origin of COVID-19 so the United States and like-minded countries can—

(A) identify the origin of COVID-19 as expeditiously as possible, and

(B) use that information to take all appropriate measures to prevent a similar pandemic from occurring again.

(c) **IN GENERAL.**—Not later than 90 days after the date of the enactment of this Act, the Director of National Intelligence shall—

(1) declassify any and all information relating to potential links between the Wuhan Institute of Virology and the origin of the Coronavirus Disease 2019 (COVID-19), including—

(A) activities performed by the Wuhan Institute of Virology with or on behalf of the People’s Liberation Army;

(B) coronavirus research or other related activities performed at the Wuhan Institute of Virology prior to the outbreak of COVID-19; and

(C) researchers at the Wuhan Institute of Virology who fell ill in autumn 2019, including for any such researcher—

(i) the researcher’s name;

(ii) the researcher’s symptoms;

(iii) the date of the onset of the researcher’s symptoms;

(iv) the researcher’s role at the Wuhan Institute of Virology;

(v) whether the researcher was involved with or exposed to coronavirus research at the Wuhan Institute of Virology;

(vi) whether the researcher visited a hospital while they were ill; and

(vii) a description of any other actions taken by the researcher that may suggest they were experiencing a serious illness at the time; and

(2) submit to Congress an unclassified report that contains—

(A) all of the information described under paragraph (1); and

(B) only such redactions as the Director determines necessary to protect sources and methods without altering or obscuring in any way the information described under paragraph (1).

SA 1954. Mr. HAWLEY submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . REQUIREMENT THAT CERTAIN PROVIDERS OF SYSTEMS TO DEPARTMENT OF DEFENSE DISCLOSE THE SOURCE OF PRINTED CIRCUIT BOARDS WHEN SOURCED FROM CERTAIN COUNTRIES.

(a) **SHORT TITLE.**—This section may be cited as the “Protecting Our Defense Systems Act”.

(b) **DISCLOSURE.**—The Secretary of Defense shall require any provider of a covered sys-

tem to provide to the Department of Defense, along with delivery of the covered system, a list of the printed circuit boards in the covered system that includes, for each printed circuit board, an attestation of whether—

(1) the printed circuit board was partially or fully manufactured and assembled in a covered nation;

(2) the printed circuit board was fully manufactured and assembled outside of a covered nation; or

(3) the provider cannot determine where the printed circuit board was manufactured and assembled.

(c) **REGULATIONS.**—Not later than 90 days after the date of the enactment of this Act, the Secretary shall promulgate such regulations as are necessary to carry out this section.

(d) **DEFINITIONS.**—In this section:

(1) The term “covered nation” includes the following:

(A) The People’s Republic of China.

(B) The Russian Federation.

(C) The Democratic People’s Republic of North Korea.

(D) The Islamic Republic of Iran.

(2) The term “covered system” means any item, including commercial items and commercially available off-the-shelf items, notwithstanding section 3452 of title 10, United States Code, as redesignated by section 1821(a)(1) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116-283), or sections 1906 and 1907 of title 41, United States Code, that—

(A) has an electronic component;

(B) is provided to the Department of Defense under a contract that exceeds the simplified acquisition threshold; and

(C) transmits or stores information including—

(i) telecommunications;

(ii) data communications and storage, including servers, switches, and networking systems, but excluding personal data storage devices, personal computers, desktop computers, tablets, and handheld equipment;

(iii) information technology security systems; and

(iv) any other system that the Secretary determines should be covered.

(3) The term “manufactured and assembled”, with respect to a printed circuit board, includes all actions from the printing of the printed circuit board from raw materials to the integration of the completed printed circuit board in an end item or component of an end item.

SA 1955. Mr. JOHNSON submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . AGREEMENTS RELATED TO NUCLEAR PROGRAM OF IRAN DEEMED TREATIES SUBJECT TO ADVICE AND CONSENT OF THE SENATE.

(a) **TREATY SUBJECT TO ADVICE AND CONSENT OF THE SENATE.**—Notwithstanding any other provision of law, any agreement